UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,182	10/16/2001	John M. Schnizlein	50325-0560	5410

29989 7590 05/05/2006

HICKMAN PALERMO TRUONG & BECKER, LLP
2055 GATEWAY PLACE
SUITE 550
SAN JOSE, CA 95110

EXAMINER	
MOORTHY, ARAVIND K	

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/981,182	SCHNIZLEIN ET AL.	
	Examiner	Art Unit	
	Aravind K. Moorthy	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 February 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-11,26 and 27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-11,26 and 27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 October 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to the amendment filed on 7 February 2006.

2. Claims 1, 3-11, 26 and27 are pending in the application.

3. Claims 1, 3-11 and 25-27 have been rejected.

4. Claims 2 and 12-25 have been cancelled.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 3-11 and 25-27 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 3-7, 9-11 and 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Grob et al U.S. Patent No. 6,894,994 B1.

As to claim 1, Grob et al discloses a method of assigning a network address to a host based on authentication for a physical connection between the host and an intermediate device, the method comprising the computer-implemented steps of:

receiving, at a router hosting an authenticator process for the host, from a first server that provides authentication and authorization, in response to a request

for authentication for the physical connection, first data indicating at least some of authentication and authorization information [column 13, lines 11-46];

receiving, at a DHCP relay agent process of the router, from the host, a DHCP discovery message for discovering a logical network address for the host [column 20, lines 6-39];

generating at the DHCP relay agent process a second message based on the DHCP discovery message and the first data [column 20, lines 6-39]; and

sending the second message from the DHCP relay agent process to a DHCP server that provides the logical network address for the host [column 20, lines 6-39].

wherein generating the second message further comprises the step of sending a third message, from the authenticator process to the relay agent process, that contains at least some of the authentication and authorization information based on the first data [column 20 line 65 to column 21 line 61].

As to claims 3, 29 and 34, Grob et al discloses a method as recited, wherein:

step of generating the second message further comprises the steps of:

storing second data based on the first data by the authenticator process [column 20 line 65 to column 21 line 61]; and

retrieving the second data by the relay agent process in response to the step of receiving the first message [column 20 line 65 to column 21 line 61].

As to claim 4, Grob et al discloses that the first server is an authentication, authorization and accounting server [column 6, lines 3-17].

As to claim 5, Grob et al discloses that the first server is a RADIUS protocol server [column 6, lines 3-17].

As to claim 6, Grob et al discloses that the physical connection comprises an Ethernet interface card on the router [column 6, lines 52-64].

As to claims 7, 30 and 35, Grob et al discloses that the physical connection comprises a wireless Ethernet encryption key and time slot [column 15 line 55 to column 16 line 5].

As to claim 9, Grob et al discloses that the second message is based on a dynamic host configuration protocol (DHCP) [column 20 line 65 to column 21 line 61].

As to claims 10, 32 and 37, Grob et al discloses that the first data includes user class data indicating a particular group of one or more authorized users of the host [column 18, lines 39-65]. Grob et al discloses that the step of generating the second message is further based on the user class data [column 18, lines 39-65].

As to claims 11, 33 and 38, Grob et al discloses a method as recited, wherein:

the first data includes credential data indicating authentication is performed by the first server [column 18, lines 39-65], and

the step of generating the second message is further based on the credential data [column 18, lines 39-65].

As to claim 26, Grob et al discloses an apparatus for assigning a network address to a host based on authentication for a physical connection between the host and an intermediate device, comprising:

means for receiving, at a router hosting an authenticator process for the host, from a first server that provides authentication and authorization, in response to a request for authentication for the physical connection, first data indicating at least some of authentication and authorization information [column 13, lines 11-46];

means for receiving, at a DHCP relay agent process of the router, from the host, a DHCP discovery message for discovering a logical network address for the host [column 20, lines 6-39];

means for generating at the DHCP relay agent process a second message based on the DHCP discovery message and the first data [column 20, lines 6-39]; and

means for sending the second message from the DHCP relay agent process to a DHCP server that provides the logical network address for the host [column 20, lines 6-39];

wherein generating the second message further comprises the step of sending a third message, from the authenticator process to the relay agent process, that contains at lest some of the authentication and authorization information based on the first data [column 20 line 65 to column 21 line 61].

As to claim 27, Grob et al discloses an apparatus for assigning a network address to a host based on authentication for a physical connection between the host and an intermediate device, comprising:

a network interface that is coupled to a data network for receiving one or more packet flows therefrom [column 13, lines 11-46];

a physical connection that is coupled to the host [column 13, lines 11-46];

a processor [column 13, lines 11-46];

one or more stored sequences of instructions which, when executed by the processor, cause the processor to carry out the steps of:

receiving, at an authenticator process for the host, through the network interface from a first server that provides authentication and authorization, in response to a request for authentication for the physical connection, first data indicating at least some of authentication and authorization information [column 13, lines 11-46];

receiving, at a DHCP relay agent process, through the physical connection from the host, a DHCP discovery message for discovering a logical network address for the host [column 20, lines 6-39];

generating at the DHCP relay agent process a second message based on the DHCP discovery message and the first data [column 20, lines 6-39]; and

sending through the network interface the second message from the DHCP relay agent process to a DHCP server that provides the logical network address for the host [column 20, lines 6-39];

wherein generating the second message further comprises the step of sending a third message, from the authenticator process to the relay agent process, that contains at least some of the authentication and authorization information based on the first data [column 20 line 65 to column 21 line 61].

As to claim 28, Grob et al discloses a computer-readable medium carrying one or more sequences of instructions for assigning a network address to a host based on authentication for a physical connection between the host and an intermediate device, which instructions, when executed by one or more processors, cause the one or more processors to carry out the steps of:

receiving, at a router hosting an authenticator process for the host, from a first server that provides authentication and authorization, in response to a request for authentication for the physical connection, first data indicating at least some of authentication and authorization information [column 13, lines 11-46];

receiving, at a DHCP relay agent process of the router, from the host, a DHCP discovery message for discovering a logical network address for the host [column 20, lines 6-39];

generating at the DHCP relay agent process a second message based on the DHCP discovery message and the first data [column 20, lines 6-39]; and

sending the second message from the DHCP relay agent process to a DHCP server that provides the logical network address for the host [column 20, lines 6-39];

wherein generating the second message further comprises sending a third message, from the authenticator process to the relay agent process, that contains at least some of the authentication and authorization information based on the first data [column 20 line 65 to column 21 line 61].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 8, 31 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grob et al U.S. Patent No. 6,894,994 B1 as applied to claims 1, 26 and 27 above, and further in view of Bahl et al U.S. Patent No. 6,782,422 B1.

As to claims 8, 31 and 36, Grob et al does not teach that the request for authentication is based on an Institute of Electrical and Electronics Engineers (IEEE) 802.1x standard.

Bahl et al teaches authentication based on an Institute of Electrical and Electronics Engineers (IEEE) 802.1x standard [column 11, lines 52-58].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Grob et al so that the request for authentication was based on an Institute of Electrical and Electronics Engineers (IEEE) 802.1x standard.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Grob et al by the teaching of Bahl et al because that standard of protocol is more secure connection and higher level of authentication [column 11, lines 52-58].

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy AM
April 27, 2006

CHRISTOPHER REVAK
PRIMARY EXAMINER
CR 4/29/06